REMARKS

This is in response to the Office Action mailed on April 30, 2003 in which claims 1-20 were pending. In the Office Action, claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker et al., U.S. Pat. No. 5,884,272 ("the Walker patent"), in view of Calamera et al., U.S. Pat. No. 6,463,533 ("the Calamera patent"). With this amendment, claims 1 and 8 are amended to clarify that the users are verified. In light of the amendment and the arguments presented below, all of pending claims 1-20 are allowable over the cited references. Reconsideration and notice to that effect is respectfully requested.

At the outset and before discussing the basis of the rejection, it is important to understand the context of the present invention. As discussed in the background of the invention, account information for online users is treated with varying levels of secrecy, depending on the specific service. On-line auction sites for instance either provide or allow a user to create an alias for bidding in auctions, and account information is kept confidential because it includes financial information (such as credit card numbers). *See* Application, p. 1, lines 24-28.

On sites where users post comment only, the web site host "may make no effort to verify the account information and no effort to conceal the information." While users typically adopt a user name or alias, account information is accessible by other users. Typically, in this instance, the web site host makes little or no effort to verify the identity of a user, and a user who is Internet savvy might register an account by providing fictitious information. If the user has provided fictitious information, determining the user's actual identity may be impossible. *See* Application, p. 1, line 29 - p. 2, line 9.

The present invention provides both user validation/validation and confidentiality of account information. As amended, the system of claim 1 both hosts "transactions between <u>verified</u> users" and maintains "transactional anonymity between <u>the verified</u> users". Similarly, as amended, the system of claim 8 protects "<u>verified</u> users from inadvertent disclosure of identifying information". Original claim 12 includes the steps of "validating an actual identity of the user before registering the user", "monitoring the transactional information programmatically using a privacy agent", and "interfering temporarily with transmission of the transactional information if

the privacy agent detects information corresponding to the actual identity of the registered user."

None of the cited references teach, suggest or disclose both validation of the user's actual identity

and prevention of inadvertent disclosure of identifying information by a validated user.

The Office Action justifies the suggested combination as follows:

> "It is to be noted that Walker fails to explicitly disclose that his anonymous transaction is for maintaining transactional anonymity between user and WEB SERVERS or WEB SITES. However, Calamera discloses a system for allowing a computer network site or web site to register an anonymous user without revealing the identity of the user (see., abstract, col 11, lines 4-21, col 12, lines 9-24). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the anonymous communications of Walker by including the limitation detailed above because such modification would provide the anonymous communications of walker [sic] with the enhanced capability of determining the user identity from the web site."

Office Action, pp. 3-4. However, the Walker patent does not teach, suggest or disclose hosting

transactions between verified or validated users as required by amended claims 1 and 8 and original

independent claim 12. Additionally, the Walker patent does not teach, suggest or disclose the

problem identified by the present invention, namely that the user's identity may be readily faked

unless the system performs some level of validation or verification.

Moreover, the Office Action misstates the teachings of the Calamera patent.

Specifically, Calamera discloses a computer network access system 30, which is also referred to in

the Calamera patent as an "alias generation server system" 30. (*See* Figs. 1 and 2). The Calamera

patent is directed to Internet or Network service providers. In other words, Calamera discloses "a

system for providing a plurality of users with access to a plurality of computer network sites". *see*

Col. 3, lines 52-53. "The system 30 [the Computer Network Access System of FIG. 1] is connected

to a plurality of computer network sites 12 via a computer network 10 (e.g. the Internet)." *See* Col.

1, lines 54-56. "System 30 thus operates as an access point for, and communication link between,

user terminal 20 and computer network sites 12." *See* Col. 3, lines 61-64. Thus, the Calamera patent

is not directed to a web site host, but rather to the Internet Service Provider (ISP) or Access point

for the user. In the Calamera patent, the ISP generates an alias for the user. The Calamera patent explains:

> "Once the alias is generated, the computer network site is informed of the alias upon access of the site by the user. The computer network site may then block access to the site's contents whenever it receives an alias associated with a disruptive user."

See Col. 3, lines 12-15. Thus, the web site is informed of the user's alias by the ISP.

An ISP is a different entity from a web site. Since ISPs typically provide dial-up or other connectivity services (e.g. web T.V., leased line, ISDN, DSL, etc.), the interaction between the user and the ISP often begins with delivery of a piece of equipment, such as an ISDN or DSL modem, etc. Additionally, account registration usually requires payment information, such as a credit card or bank account number. Delivery and financial account information serve to provide an indicia of the user's actual identity.

By contrast, the present invention is a web-based communication system requiring validation/verification of a user and providing protections against inadvertent disclosure of actual identifying information. Verification/validation of user information was typically not required by hosted web-based communication systems at the time of filing of this application. Moreover, the user typically accesses the host web site via an ISP such as that proposed by the Calamera patent, thus the user approaches the host web site using an on-line alias that cannot be readily traced to a source. Such aliasing/proxy services provided by ISPs compounds the difficulty in verifying user information by a web site host.

Both the Walker patent and the Calamera patent, alone or in combination, do not teach, suggest or disclose "hosting transactions between verified users" (amended claim 1), "monitoring text message transmissions between verified users programmatically using a privacy agent" (amended claim 8), or "validating an actual identity of the user before registering the user" (original claim 12). Additionally, none of the cited references teach, suggest or disclose "maintaining transactional anonymity between the verified users" or "interfering temporarily with transmission of the text message if the text message contains" identifying information corresponding

to the registered/verified user. Thus, the references do not teach, suggest or disclose all the elements of the independent claims of the present invention.

Finally, to present a case of prima facie obviousness, the "burden is on the Examiner to provide some suggestion of the desirability of doing what the inventor has done." *See* MPEP § 706.02(j). "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See* Id., *citing In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). Neither the Walker patent nor the Calamera patent provides any suggestion or motivation to combine the teachings. As previously discussed, the Calamera patent is directed to Access point or ISP services, while the Walker patent is directed to web hosting services. Calamera teaches aliasing services provided by the ISP, while Walker teaches "user controlled anonymous communications". Thus, the Walker and the Calamera patents are related to different elements of a user's Internet experience, namely the end point (web site) versus the access point (ISP). There is no motivation or teaching provided by either reference to make the asserted combination. The basis for the combination asserted by the Examiner is nothing more than a hindsight reconstruction based on the disclosure of the present application. Therefore, the cited combination is not supported by the references. All of claims 1-20 are allowable over the cited combination, and reconsideration and notice to that effect is requested.

All of pending claims 1-20 are in condition for allowance. Reconsideration and notice to that effect is respectfully requested. The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

Respectfully submitted,

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